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Euresai! Now, sir, my min is not so constituted and has not been so educated as to enable me to weave fine spun theories or to comprehend the metaphysical affinity between principles which seem to have no connection with each other; and it is for the purpose of stating as briefly and candidly as possible the difficulties under which I am laboring with reference to the series of measures now under consideration, with a view to having those difficulties removed by the Gamaliels of the House, at whose feet I so willingly sit, that I have sought the opportunity of addressing you. And as I desire to be as brief as possible, I will enter at once upon a statement of my case.

With reference to the disqualifying bill reported by the committee, but which is not now under immediate consideration, I have no difficulty; and

reserence to this bill is an opportunity to vote upon it. I confess, however, that I do not see that the bill adds anything to the disqualifications which now exist, or disqualifies any one who is not disqualified by existing laws. No one who ever gave voluntary aid to the robellion is now permitted to qualify in any position of trust under the Federal Government without taking the test oath; and of course no one would be permitted to take the test oath and enter upon the discharge of official duties under the Government if it was known at the time that he was committing perjury.

known at the time that as we wanted when the test outh may be decided unconstitutional or that it may be repealed by a majority vote. I reply that the test outh and this bill stand constitutionally upon exactly similar foundations. But I pass to the consideration of the measure under immediate considera-

Now, sir, the prominent idea with me, Now, sir, the prominent idea with me, and, with gentlemen who advocate this measure, is to restore the Union upon a basis which will secure the fiture peace of the country. This idea is inseparably connected in my mind with whatever is denominated a plan of reconstruction or restoration. Now, I propose to examine the provisions of this bill and test them severally and as a whole by this rule. This bill recites an amendment to the Constitution of the United States as having been submitted by Congress to the several States for their finni action, and provides, in substance at least, that the ratification of this amendment shall be a condition, the leven States intelly constituting in the eleven States intelly constituting in the eleven States intelly constituting the so-called confederate States of America. This amendment contains four distinct propositions.

The first provides that iso State shall make any discrimination in civil rights of clitizens of the United States on account of race, color, or previous condi-

pose to submit the question of hanging to yourself?" This House, sir, has done as much.

If the committee on reconstruction found, upon this six months' investigation that the governments of the "States lately constituting the so-called Confederate States of America" are in the hands of, or controlled by the enemies of the United States, why did they not say so, and bring in a bill providing for wresting those State governments from the hands of our enemies, and placing them in the hands of our friends, that we might set upon something practical, and that the country might understand what we meant? The committee was organized with instructions to inquire into the condition of those States, and report the result of such inquiry to Congress. If this is all they intend to report, they have not discharged the duty which was imposed upon them.

My impression is that the troubles by which we find the subject of reconstruction now surrounded do not of necessity result from the appointment of a committee or from the investigation. Ordinarily the report of the President, the sworn executive officer of the Government, should be conclusive upon questions involving the harmonious relations of the several parts of the Union, the execution of, and obedience to the law; but f do not regard such report as necessarily conclusive, and con-

that I regard it as wholly impracticable, and, as calculated, if not intended to defeat the whole plan for the restoration of the States Intely overrun by the rebellion until after the next presidential election. Its effect, whatever its purpose may be, is purely partisan, because in the nature of things it can never be ratified, and its ratification is purpose may be, is purely partisan, because in the nature of things it can never be ratified, and its ratification is made a condition-precedent to restoration, good this account only I voted in simple is a condition as members of the Constitution of the United States, help as the entire proposition as a constitution at amendment.

I mm in favor of restoration, and this proposition is opposition is opposition in the constitution of the United States, help as the proposition is opposition in the constitution of the United States, help are intended and the country, credulous, and not given to the things as they appear on their face, believe that this House has voted, by voting for this proposition, to distranchise rebiles. The issue is deceptive, is false. Those occupying the position to which the responsibility attaches have voted to shift that r the advocate of his rights which attach by virtue of such pardon. Now, in what do these rights consist? Do they consist solely of what we term "civil rights," or do they include "political righta" also? My own impression is that they include Just what the sovereign granting the pardon may elect to have them include, nothing more, nothing less. And that if it is not yet safe to trust political power in the hands of the reconstructed, it should simply be withheld from them, and that those only who have been contin-

give us any information as to whether those State organizations are in the hands of the friends or the enemies of the Federal Government, or whether President, of the Govof the Govistive upon harmonious arts of the lobedience rats of lobedience ra

severed all these bonds and relieved both parties from the observance of these reciprocal obligations and duties? Chitty, in his note to Vattel, page 97,

WORMAN STATES A SACRADA STATES A SACRADA STATES AND A SACRADA STATES AND

Influence upon the political morals of the country. I am willing, however, that this proposition too should go to the people for their consideration as an amendment to the Constitution of the United States.

This proposition, however, and the This proposition, however, and the This proposition, however, are not of the issues which were involved in and decided by the late war. They were as meantment are to an extent justified by the late war. They were as might not extend them over the people of Mexercise and accord belligerent rights of which I have spoken, are not of the issues which were involved in and decided by the late war. They were as might not applied even support this either by policy or the dictates of hueling the war to an extent justified condition of the Constitution was framed, and the sovereign; and that upon the submission of the United States, sir, by the result of the late rebellion, are now aliens, foreigners, not citizens of the United States; and you have no more right, to extend the mover them the provisions of your mueling late war that the provisions of your mueling and for other purposes, than you have no more right to extend them over the people of Mexercise and accord belligerent rights of the States, sir, by the result of the United States are condition for the the constitution was framed, and

Now, who can define any fixed limits to the rebellion? To-day that "line of bayonets" is at Gettysburg, and all "south of that line is enemy's territory, because it is held by an organized hostile and belligerent power;" to-morrow that line is at Richmond, and then all between Gettysburg and Richmond is not enemy's territory, because it is not held by the enemy. To-day that "line of bayonets" bears hard upon Louisville, and "all south is enemy's territory."—to-morrow that line is at Chattanooga, Atlanta, Savannah, Columbia, Raleigh! To-day that line is at Jefferdetermine that all were enemies within certain fixed geographical limits? How long occupancy by the enemy and peaceful acquiescence by the inhabigants, does it require to convert the citizen into a "public enemy," a day, a month, or a year? I trust the gentleman from Pennsylvania never got south of that "line of bayonets," and thus became an "alien enemy," though it strikes me I have heard that the "line of bayonets" was at some time extended north of some of his property, which must now be liable to seizure by the Governmentas "enemy's property," because it was within "enemy's territory," "claimed and held in possession by an organized hostile and belligerent power."

ty. The application of the law of nations works an extension or enlargement rather than a forfeiture or limitation of the rights of revolled subjects during the revolt, but all the rights and remedies of the sovereign, and all the pains and penalties which the law denounces against the offenders, an enlargement of power in the government, and an abridgment of the rights of the offender, attach immediately upon the doctrines of the national integrity.

I know that I am now trenching upon the doctrines of the distinguished gentleman from Pennsylvania, [Mr. Stevens,] and I desire information from him upon the point I now make. Admit, for sake of argument, that all within the lines of the late rebellion with sufficient certainty to ascertain who are "alien enemies." By what principle or upon what authority would you define the limits of the late rebellion with sufficient certainty to ascertain who are "alien enemies." By when and by whom ware they so defined? Was it by the President in his proclamation of August 16, 1861? The Government of Great Britain accorded "belligerent rights" to the rebellion and the president frequently the Supreme Court from the 18th day of May, 1861, and the President frequently thanged the limits by proclamation or a name."

As I remarked in this House, on the States has been recognized by the Supreme Court from the 18th day of January last, "the rebellion was never bounded by State lines, but it is authority was extended wherever its power could carry it." The Supreme Court of the United States, upon this power.

As I remarked in this House, on the States has been recognized by the Supreme Court from the 18th of the vident of the

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ago I was suffering territy with a hort time
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L. W. STEWART.

NASHVILLE, Tenn., Dec. 1st, 1865.

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